

## **REMARKS**

Applicants reply to the final Office Action dated September 28, 2010 within three months. The Examiner rejects all pending claims 51-59, 61-65, and 67-70. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Applicants assert that the application is in condition for allowance and reconsideration of the pending claims is requested.

*As an introduction, Applicants believe it may be helpful to first describe one embodiment of the invention to assist the Examiner with the new claim elements.* In an embodiment, a system provides a user with a searchable database of incentive offers. The user is able to formulate a search for offers that are of specific interest to the user (e.g. a search for incentive offers for bicycles). The system also “analyze[s] attributes of the user[’s] profile” (e.g. location of the user, status level of the user, and/or type of transaction account owned by the user). “Based on the user formulated search and the attributes of the user profile,” the system “identify[ies] a plurality of **separately contained incentive offer contents**” (e.g. the substance of incentive offers for bicycles that meet the criteria for the user search and conform with the user’s profile attributes; for example where the user resides in Manhattan, New York, the system would likely identify bicycles suitable for city riding or where the user resides in Denver, Colorado the system would likely identify bicycles suitable for trail or mountain riding). The system is configured to “identify a **separately contained incentive offer context** based on the attributes of the user profile” (e.g. the display style for the incentive offer contents that would be desirable to the user; for example where the user resides in Manhattan, New York, the system would likely provide a display style associated with a city or, where the user resides in Denver, Colorado the system would likely provide a display style associated with mountains). *This functionality allows a merchant to build offer contents and offer contexts independently of one another and then combine then to provide a custom offer to a particular user based on the preferences of the user.* The system “modif[ies] at least of portion of the plurality of separately contained incentive offer contents based on the attributes of the user profile” (e.g. determines a discount amount based on the user being offered the incentive, for example, 10% off for a silver member, 25% off for a gold member, free shipping for a gold member, and/or the like). The system is configured to “filter each summary of the plurality of separately contained incentive offer contents from a centralized repository of incentive offer contents, based on the user formulated search and the attributes of the user profile, wherein each

summary corresponds to a customized offer for a user” (e.g. summary items are highlighted and/or displayed to a user in accordance with user preferences, for example, a user may have a profile which indicates that the user prefers not to pay for shipping, so offer summaries for bicycles with free shipping may be displayed such that the free shipping feature of the offer is displayed prominently in the summary). The system “combine[s] each customized offer with the separately contained incentive offer context to create a plurality of user offers and display[s] the plurality of user offers.”

### **Examiner Interview**

Applicants would like to thank Examiner Ahmed for taking the time to speak with Applicants’ attorney, Mark Williams (Reg. No. 64,425) on December 7, 2010. While no agreement was reached regarding the proposed amendments, Applicants appreciate having the opportunity to explain why the proposed amendments, as reflected in the current Reply, distinguish the presently claimed invention over the cited references.

### **Rejections Under 35 U.S.C. 112**

The Examiner rejects claims 51 and 69 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully disagree with the Examiner’s rejections; however, Applicants amend claims 51 and 69 to further clarify the patentable aspects of the presently claimed invention. As such, Applicants respectfully request withdrawal of the rejections.

### **Rejections Under 35 U.S.C. § 103**

The Examiner rejects claims 51-59, 61-65 and 67-70 under 35 U.S.C. § 103(a) as being unpatentable over Brody (U.S. Patent Application Publication No. 2002/0077964) in view of Dedrick (U.S. Patent No. 5,696,965). Applicants respectfully disagree with the Examiner; however, Applicants amend certain pending claims to clarify the patentable aspects and to expedite prosecution.

Brody discloses a system and method for providing consumers with credit information including information which can help the consumer evaluate the consumer's credit report or credit worthiness. Brody also provides consumers with suggestions to help consumers better their credit rating and to report to credit bureaus to reflect positive activity conducted by a consumer to improve the consumer’s credit rating. However, Brody does not disclose or contemplate offers made up of more than one component, (e.g. offer content and offer context, separately contained from one

another). Put another way, Brody does not disclose an offer that is made up of a content component and a display component that may be customized based on the user seeking the offer.

Dedrick discloses an advertisement search engine. However, like Brody, Dedrick does not disclose or contemplate offers made up of more than one component, (e.g. offer content and offer context, separately contained from one another). In other words, Dedrick does not disclose an offer that is made up of a content component and a display component that may be customized based on the user seeking the offer.

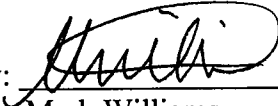
As such, Applicants assert that Brody does not disclose at least, “identifying, by the computer-based system, **a plurality of separately contained incentive offer contents** based on the user formulated search and the attributes of the user profile,” “identifying, by the computer-based system, **a separately contained incentive offer context based on the attributes of the user profile, wherein the plurality of separately contained incentive offer contents are stored independently from the separately contained incentive offer context**” or “combining, by the computer based system, each separately contained customized offer with the separately contained incentive offer context to create a plurality of user offers” (emphasis added) as similarly recited in independent claims 51, 69, and 70.

Furthermore, claims 52-59, 61-65, and 67-68 variously depend from independent claim 51. As such, Applicants assert that claims 52-59, 61-65, and 67-68 are differentiated from the cited references for the same reasons as set forth above, in addition to their own novel features. Thus, Applicants respectfully request allowance of all pending claims.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. If an extension of time is necessary, please accept this as a petition therefore. Applicants invite the Office to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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